

**(b) Disposition of articles**

Any pre-Columbian monumental or architectural sculpture or mural which is forfeited to the United States shall—

(1) first be offered for return to the country of origin and shall be returned if that country bears all expenses incurred incident to such return and complies with such other requirements relating to the return as the Secretary shall prescribe; or

(2) if not returned to the country of origin, be disposed of in the manner prescribed by law for articles forfeited for violation of the customs laws.

(Pub. L. 92-587, title II, §203, Oct. 27, 1972, 86 Stat. 1297.)

**§ 2094. Rules and regulations**

The Secretary shall prescribe such rules and regulations as are necessary and appropriate to carry out the provisions of this chapter.

(Pub. L. 92-587, title II, §204, Oct. 27, 1972, 86 Stat. 1297.)

**§ 2095. Definitions**

For the purposes of this chapter—

(1) The term “Secretary” means the Secretary of the Treasury.

(2) The term “United States” includes the several States, the District of Columbia, and the Commonwealth of Puerto Rico.

(3) The term “pre-Columbian monumental or architectural sculpture or mural” means—

(A) any stone carving or wall art which—

(i) is the product of a pre-Columbian Indian culture of Mexico, Central America, South America, or the Caribbean Islands;

(ii) was an immobile monument or architectural structure or was a part of, or affixed to, any such monument or structure; and

(iii) is subject to export control by the country of origin; or

(B) any fragment or part of any stone carving or wall art described in subparagraph (A) of this paragraph.

(4) The term “country of origin”, as applied to any pre-Columbian monumental or architectural sculpture or mural, means the country where such sculpture or mural was first discovered.

(Pub. L. 92-587, title II, §205, Oct. 27, 1972, 86 Stat. 1297.)

**CHAPTER 12—TRADE ACT OF 1974**

Sec.

2101. Short title.

2102. Congressional statement of purpose.

**SUBCHAPTER I—NEGOTIATING AND OTHER AUTHORITY**

**PART 1—RATES OF DUTY AND OTHER TRADE BARRIERS**

- 2111. Basic authority for trade agreements.
- 2112. Barriers to and other distortions of trade.
- 2113. Overall negotiating objective.
- 2114. Sector negotiating objectives.
- 2114a. Negotiating objectives with respect to trade in services, foreign direct investment, and high technology products.

Sec.

2114b. Provisions relating to international trade in services.

2114c. Trade in services: development, coordination, and implementation of Federal policies; staff support and other assistance; specific service sector authorities unaffected; executive functions.

2114d. Foreign export requirements; consultations and negotiations for reduction and elimination; restrictions on and exclusion from entry of products or services; savings provision; compensation authority applicable.

2114e. Negotiation of agreements concerning high technology industries.

2115. Bilateral trade agreements.

2116. Agreements with developing countries.

2117. International safeguard procedures.

2118. Access to supplies.

2119. Staging requirements and rounding authority.

**PART 2—OTHER AUTHORITY**

2131. Authorization of appropriation for GATT revision.

2132. Balance-of-payments authority.

2133. Compensation authority.

2134. Two-year residual authority to negotiate duties.

2135. Termination and withdrawal authority.

2136. Reciprocal nondiscriminatory treatment.

2137. Reservation of articles for national security or other reasons.

2138. Omitted.

**PART 3—HEARINGS AND ADVICE CONCERNING NEGOTIATIONS**

2151. Advice from International Trade Commission.

2152. Advice from executive departments and other sources.

2153. Public hearings.

2154. Prerequisites for offers.

2155. Information and advice from private and public sectors.

**PART 4—OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE**

2171. Structure, functions, powers, and personnel.

**PART 5—CONGRESSIONAL PROCEDURES WITH RESPECT TO PRESIDENTIAL ACTIONS**

2191. Bills implementing trade agreements on non-tariff barriers and resolutions approving commercial agreements with Communist countries.

2192. Resolutions disapproving certain actions.

2193. Resolutions relating to extension of waiver authority under section 402 of the Trade Act of 1974.

2194. Special rules relating to Congressional procedures.

**PART 6—CONGRESSIONAL LIAISON AND REPORTS**

2211. Congressional advisers for trade policy and negotiations.

2212. Transmission of agreements to Congress.

2213. Reports.

**PART 7—UNITED STATES INTERNATIONAL TRADE COMMISSION**

2231. Change of name.

2232. Independent budget and authorization of appropriations.

**PART 8—IDENTIFICATION OF MARKET BARRIERS AND CERTAIN UNFAIR TRADE ACTIONS**

2241. Estimates of barriers to market access.

2242. Identification of countries that deny adequate protection, or market access, for intellectual property rights.

- Sec.  
SUBCHAPTER II—RELIEF FROM INJURY CAUSED BY IMPORT COMPETITION
- PART 1—POSITIVE ADJUSTMENT BY INDUSTRIES INJURED BY IMPORTS
2251. Action to facilitate positive adjustment to import competition.
2252. Investigations, determinations, and recommendations by Commission.
2253. Action by President after determination of import injury.
2254. Monitoring, modification, and termination of action.
- PART 2—ADJUSTMENT ASSISTANCE FOR WORKERS
- SUBPART A—PETITIONS AND DETERMINATIONS
2271. Petitions.
2272. Group eligibility requirements; agricultural workers; oil and natural gas industry.
2273. Determinations by Secretary of Labor.
2274. Study and notifications regarding certain affirmative determinations; industry notification of assistance.
2275. Benefit information for workers.
- SUBPART B—PROGRAM BENEFITS
- Division I—Trade Readjustment Allowances
2291. Qualifying requirements for workers.
2292. Weekly amounts of readjustment allowance.
2293. Limitations on trade readjustment allowances.
2294. Application of State laws.
- Division II—Training, Other Employment Services, and Allowances
2295. Employment and case management services.
- 2295a. Limitations on administrative expenses and employment and case management services.
2296. Training.
2297. Job search allowances.
2298. Relocation allowances.
- SUBPART C—GENERAL PROVISIONS
2311. Agreements with States.
2312. Administration absent State agreement.
2313. Payments to States.
2314. Liabilities of certifying and disbursing officers.
2315. Fraud and recovery of overpayments.
2316. Penalties.
2317. Authorization of appropriations.
2318. Reemployment trade adjustment assistance program.
2319. Definitions.
2320. Regulations.
2321. Subpoena power.
2322. Office of Trade Adjustment Assistance.
2323. Collection and publication of data and reports; information to workers.
- SUBPART D—NAFTA TRANSITIONAL ADJUSTMENT ASSISTANCE PROGRAM
2331. Repealed.
- PART 3—ADJUSTMENT ASSISTANCE FOR FIRMS
2341. Petitions and determinations.
2342. Approval of adjustment proposals.
2343. Technical assistance.
2344. Oversight and administration.
2345. Authorization of appropriations.
- 2345a. Annual report on trade adjustment assistance for firms.
- 2346, 2347. Repealed.
2348. Protective provisions.
2349. Penalties.
2350. Civil actions.
- Sec.  
2351. “Firm” defined.
2352. Regulations.
2353. Repealed.
2354. Study by Secretary of Commerce when International Trade Commission begins investigation.
2355. Assistance to industry; authorization of appropriations.
2356. Repealed.
- PART 4—TRADE ADJUSTMENT ASSISTANCE FOR COMMUNITIES
2371. Community College and Career Training Grant Program.
- 2371a to 2371f. Repealed.
2372. Authorization of appropriations.
- 2372a. Transferred.
- 2373 to 2374. Repealed.
- PART 5—MISCELLANEOUS PROVISIONS
2391. GAO study and report.
2392. Adjustment Assistance Coordinating Committee.
2393. Trade monitoring and data collection.
2394. Firms relocating in foreign countries.
2395. Judicial review.
- 2396, 2397. Omitted.
- 2397a. Sense of Congress.
- PART 6—ADJUSTMENT ASSISTANCE FOR FARMERS
2401. Definitions.
- 2401a. Petitions; group eligibility.
- 2401b. Determinations by Secretary of Agriculture.
- 2401c. Study by Secretary of Agriculture when International Trade Commission begins investigation.
- 2401d. Benefit information to agricultural commodity producers.
- 2401e. Qualifying requirements and benefits for agricultural commodity producers.
- 2401f. Fraud and recovery of overpayments.
- 2401g. Authorization of appropriations.
- SUBCHAPTER III—ENFORCEMENT OF UNITED STATES RIGHTS UNDER TRADE AGREEMENTS AND RESPONSE TO CERTAIN FOREIGN TRADE PRACTICES
2411. Actions by United States Trade Representative.
2412. Initiation of investigations.
2413. Consultation upon initiation of investigation.
2414. Determinations by Trade Representative.
2415. Implementation of actions.
2416. Monitoring of foreign compliance.
2417. Modification and termination of actions.
2418. Request for information.
2419. Administration.
2420. Identification of trade expansion priorities.
- SUBCHAPTER IV—TRADE RELATIONS WITH COUNTRIES NOT RECEIVING NONDISCRIMINATORY TREATMENT
- PART 1—TRADE RELATIONS WITH CERTAIN COUNTRIES
2431. Exception of products of certain countries or areas.
2432. Freedom of emigration in East-West trade.
2433. United States personnel missing in action in Southeast Asia.
2434. Extension of nondiscriminatory treatment.
2435. Commercial agreements.
2436. Market disruption.
2437. Procedure for Congressional approval or disapproval of extension of nondiscriminatory treatment and Presidential reports.
2438. Payment by Czechoslovakia of amounts owed United States citizens and nationals.
2439. Freedom to emigrate to join a very close relative in United States.

Sec.  
2440, 2441. Repealed.

PART 2—RELIEF FROM MARKET DISRUPTION TO INDUSTRIES AND DIVERSION OF TRADE TO THE UNITED STATES MARKET

2451. Action to address market disruption.  
2451a. Action in response to trade diversion.  
2451b. Regulations; termination of provision.

SUBCHAPTER V—GENERALIZED SYSTEM OF PREFERENCES

2461. Authority to extend preferences.  
2462. Designation of beneficiary developing countries.  
2463. Designation of eligible articles.  
2464. Review and report to Congress.  
2465. Date of termination.  
2466. Agricultural exports of beneficiary developing countries.  
2466a. Designation of sub-Saharan African countries for certain benefits.  
2466b. Termination of benefits for sub-Saharan African countries.  
2467. Definitions.

SUBCHAPTER VI—GENERAL PROVISIONS

2481. Definitions.  
2482. Exercise of functions of International Trade Commission.  
2483. Consequential changes in Tariff Schedules of the United States.  
2484. International drug control.  
2485. Voluntary limitations on exports of steel to United States.  
2486. Trade relations with North American countries.  
2487. Repealed.

SUBCHAPTER VII—TARIFF TREATMENT OF PRODUCTS OF, AND OTHER SANCTIONS AGAINST, UNCOOPERATIVE MAJOR DRUG PRODUCING OR DRUG-TRANSIT COUNTRIES

2491. Short title.  
2492. Tariff treatment of products of uncooperative major drug producing or drug-transit countries.  
2493. Sugar quota.  
2494. Progress reports.  
2495. Definitions.

SUBCHAPTER VIII—SUPPLEMENTAL AGRICULTURAL DISASTER ASSISTANCE

2497. Supplemental agricultural disaster assistance.  
2497a. Agricultural Disaster Relief Trust Fund.  
2497b. Jurisdiction.

§ 2101. Short title

This chapter may be cited as the “Trade Act of 1974”.

(Pub. L. 93–618, § 1, Jan. 3, 1975, 88 Stat. 1978.)

REFERENCES IN TEXT

This chapter, referred to in text, was in the original “this Act”, meaning Pub. L. 93–618, which in addition to enacting this chapter enacted section 1863 of this title, amended sections 160, 162, 163, 164, 170a, 1202, 1303, 1315, 1321, 1330, 1332, 1333, 1337, 1352, 1484, 1516, 1806, 1862, 1872, 1885, and 1981 of this title, sections 5312, 5314, 5315, and 5316 of Title 5, Government Organization and Employees, section 301 of Title 13, Census, section 3302 of Title 26, Internal Revenue Code, sections 2631 and 2632 of Title 28, Judiciary and Judicial Procedure, and section 665 of former Title 31, Money and Finance, repealed sections 1802, 1803, 1804, 1805, 1822, 1831, 1832, 1833, 1841, 1842, 1843, 1844, 1845, 1846, 1861, 1871, 1873, 1882, 1883, 1884, 1886, 1901, 1902, 1911, 1912, 1913, 1914, 1915, 1917, 1931,

1941, 1942, 1943, 1944, 1951, 1952, 1961, 1962, 1963, 1971, 1972, 1973, 1974, 1975, 1976, 1977, 1978, and 1991 of this title, and enacted provisions set out as notes under this section and sections 160, 162, 1303, 1321, 1337, 1484, 1515, 1516, 1901, and 2271 of this title and section 301 of Title 13, Census.

REFERENCES TO OTHER LAWS DEEMED REFERENCES TO TRADE ACT OF 1974

Pub. L. 93–618, title VI, § 602(f), Jan. 3, 1975, 88 Stat. 2072, as amended by Pub. L. 96–39, title XI, § 1106(h)(3), July 26, 1979, 93 Stat. 313, provided that: “All provisions of law (other than this Act [this chapter], the Trade Expansion Act of 1962 [chapter 7 of this title], and the Trade Agreements Extension Act of 1951 [see Short Title of 1951 Amendment note set out under section 1654 of this title]), in effect after the date of enactment of this Act [Jan. 3, 1975], referring to section 350 of the Tariff Act of 1930 [section 1351 of this title], to that section as amended, to the Act entitled ‘An Act to amend the Tariff Act of 1930,’ approved June 12, 1934 [enacting sections 1352, 1353, and 1354 and amending section 1351 of this title], to that Act as amended or to the Trade Expansion Act of 1962, or to agreements entered into, or proclamations issued, or actions taken under any of such provisions, shall be construed, unless clearly precluded by the context, to refer also to this Act, or to agreements entered into or proclamations or orders issued pursuant to this Act.”

SHORT TITLE OF 2012 AMENDMENT

Pub. L. 112–208, § 1(a), Dec. 14, 2012, 126 Stat. 1496, provided that: “This Act [amending section 2241 of this title and enacting provisions set out as notes under section 2434 of this title and section 5811 of Title 22, Foreign Relations and Intercourse] may be cited as the ‘Russia and Moldova Jackson-Vanik Repeal and Sergei Magnitsky Rule of Law Accountability Act of 2012.’”

SHORT TITLE OF 2011 AMENDMENT

Pub. L. 112–40, title II, § 200(a), Oct. 21, 2011, 125 Stat. 402, provided that: “This title [see Tables for classification] may be cited as the ‘Trade Adjustment Assistance Extension Act of 2011.’”

SHORT TITLE OF 2010 AMENDMENT

Pub. L. 111–344, § 1(a), Dec. 29, 2010, 124 Stat. 3611, provided that: “This Act [amending sections 58c, 2296, 2317, 2318, 2345, 2371d to 2371f, 2372, 2373, 2373a, 2401g, 3202, 3203, and 3206 of this title, sections 35, 4980B, 7527, and 9801 of Title 26, Internal Revenue Code, sections 1162, 1181, and 2918 of Title 29, Labor, and sections 300bb–2 and 300gg of Title 42, The Public Health and Welfare, enacting provisions set out as a note preceding section 2271 of this title and notes under sections 35, 4980B, 6655, 7527, and 9801 of Title 26, and amending provisions set out as notes preceding section 2271 of this title] may be cited as the ‘Omnibus Trade Act of 2010.’”

SHORT TITLE OF 2009 AMENDMENT

Pub. L. 111–5, div. B, title I, § 1800, Feb. 17, 2009, 123 Stat. 367, provided that: “This subtitle [subtitle I (§§ 1800–1899L) of title I of div. B of Pub. L. 111–5, enacting part 4 (§ 2371 et seq.) of subchapter II of this chapter and sections 2295a, 2322, 2323, 2344, 2345, 2356, and 2397a of this title, amending sections 2271 to 2275, 2291 to 2295, 2296 to 2298, 2311, 2315 to 2321, 2341, 2343, 2348 to 2352, 2354, 2355, 2393, 2395, 2401 to 2401b, and 2401e to 2401g of this title, sections 35, 4980B, 7527, and 9801 of Title 26, Internal Revenue Code, section 1581 of Title 28, Judiciary and Judicial Procedure, sections 1162, 1181, 2918, and 2919 of Title 29, Labor, and sections 300bb–2 and 300gg of Title 42, The Public Health and Welfare, repealing former sections 2344 to 2347 of this title, enacting provisions set out as notes preceding section 2271 and under sections 2271, 2295a, 2296, 2323, 2344, 2371, and 2393 of this title and sections 1, 35, 4980B, 7527, and 9801 of Title 26, and amending provisions set out as a note preceding section 2271 of this title] may be cited as the ‘Trade and Globalization Adjustment Assistance Act of 2009.’”